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SEC

SERVICE DATE - AUGUST 26, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42081

DYNO NOBEL INC.

v.

KANEB PIPE LINE PARTNERS, L.P.

Decided: August 25, 2003

On June 16, 2003, Dyno Nobel Inc. (Dyno) filed a complaint with the Board challenging certain rate increases made by Kaneb Pipe Line Partners, L.P. (Kaneb) with respect to pipeline shipments of anhydrous ammonia.

In a decision served July 1, 2003, the Board granted Kaneb's motion for an extension of time to file its answer to the complaint until August 1, 2003. On that date, Kaneb filed its answer and also a motion to dismiss Count I of the complaint. In a decision served August 12, 2003, the Board granted Dyno's motion for an extension of time to file its reply to Kaneb's motion to dismiss until September 12, 2003.

By a motion filed on August 21, 2003, Dyno and Kaneb jointly request extensions of time to make certain filings in this proceeding. The parties request a two-week extension of time, until September 4, 2003, for Dyno to complete its responses to Kaneb's initial discovery requests, and an extension of time, until September 15, 2003, for Kaneb to file, if necessary, a motion to compel Dyno's responses to these discovery requests. In support of these extension requests, Dyno states that it will need the additional time because certain key individuals have previously scheduled commitments in the month of August that will interfere with its ability to answer Kaneb's discovery requests thoroughly. Kaneb requests a corresponding extension of time so it can review Dyno's responses to determine whether a motion to compel is needed.

The parties have shown good cause for the extension requests, and they will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The deadline by which Dyno must respond to Kaneb's initial discovery requests is extended to September 4, 2003.
2. The deadline by which Kaneb must file a motion to compel responses to its initial discovery requests is extended to September 15, 2003.
3. This decision is effective on the service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary